

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
The Commercial Mobile Alert System)	PS Docket No. 07-287
)	
)	

To: The Commission

REPLY COMMENTS OF ALLTEL COMMUNICATIONS, LLC

I. INTRODUCTION AND SUMMARY

Alltel Communications, LLC (“Alltel”) hereby submits these reply comments in response to the Federal Communications Commission’s December 14, 2007 Notice of Proposed Rulemaking (“NPRM”) in the above-captioned proceeding.¹ Alltel agrees with the majority of those filing comments that the recommendations of the Commercial Mobile Service Alert Advisory Committee (“CMSAAC”), set forth in Appendix B of the *NPRM*, should be adopted by the Commission. Therefore, Alltel requests that the Commission reject proposals that oppose various CMSAAC recommendations.

II. AVAILABLE TRANSPORT TECHNOLOGIES

The CMSAAC devoted a significant amount of time and discussion before ultimately deciding not to require a specific transport technology for transmitting emergency alerts over the Commercial Mobile Alert System (“CMAS”).² In reaching that conclusion, the CMSAAC considered many technologies, including point-to-point technologies such as short message service (“SMS”), point-to-multipoint technologies such as cell broadcasting, and radio data

¹ *In the Matter of The Commercial Mobile Alert System*, Notice of Proposed Rulemaking, PS Docket No. 07-287, FCC 07-214 (rel. Dec. 14, 2007) (“*NPRM*”).

² See CMSAAC recommendations at section 5.1.

systems like the Radio Broadcast Data System (“RBDS”).³ Because the CMSAAC is composed of industry experts, the CMSAAC was able, and best suited, to conclude that cell broadcasting is a viable transport solution that enables expeditious deployment of an effective CMAS unlike the RBDS⁴ and SMS.⁵ The CMSAAC, however, chose not to require cell broadcasting. Most, if not all, wireless service providers are *not currently* able to employ cell broadcasting,⁶ so the CMSAAC recommendation serves the interest of *expedition*. Furthermore, given the fact that participation is *voluntary*, wireless service providers should have the *flexibility* to determine which technology is feasible for their particular circumstances so long as that technology satisfies the requirements of the Warning, Alert, and Response Network (“WARN”) Act. Based upon those reasons, the Commission should reject proposals that require a specific transport technology at this time.

III. FEDERAL GOVERNMENT’S ROLE

The CMSAAC recommended that a Federal Government entity fulfill the roles of “Alert Aggregator” and the “Alert Gateway.”⁷ The model proposed by CMSAAC states that *all* levels of government - federal, state, and local - should have the ability to generate emergency alerts,

³ See *id.* at 5.2.

⁴ The CMSAAC determined that some of RBDS’s technical feasible limitations are increasing the cost and size of handsets, creating radio frequency issues with the performance of the handset, causing significant impact on battery life, and requiring a second or different handset antenna. Furthermore, the CMSAAC concluded that RBDS would take longer to deploy than cell broadcasting. Therefore, the Commission should reject proposals that recommend RBDS.

⁵ See CMSAAC recommendations at section 5.2.

⁶ CellCast Technologies, LLC (“CellCast”) claims that a “majority of the network equipment and many of the current mobile handset devices currently have the capability of supporting cell broadcast service for emergency message transport through the mobile networks using both CDMA and GSM.” Comments of CellCast at 5. This statement is, at least in regard to CDMA, inaccurate as Alltel’s vendors, at our request, are currently in the process of developing this feature. Furthermore, the basis supplied by CellCast to support this argument focuses entirely on GSM. See *id.* at 12-13. Therefore, the Commission should disregard CellCast’s erroneous comment and adopt the CMSAAC recommendation, which meets the needs of the *entire* wireless industry.

⁷ CMSAAC recommendations at section 2.2.

but the actual flow of alerts must be funneled to the Alert Gateway before being transmitted to the wireless service providers.⁸ Having multiple aggregators and gateways would create security and administration problems and increase wireless service providers' costs. Therefore, any modification to the CMSAAC recommendation and model would prevent broad deployment of an effective CMAS and inject a host of security and administration problems at varying jurisdictional levels.

IV. ALERT FORMATTING AND CONTENT ISSUES

The Commission should reject proposals that require more than the 90-character limit recommended by the CMSAAC⁹ at this time. The 90-character limit is a result of the CDMA limitation of 120 characters minus the required message parameters established in Section 10 of the CMSAAC recommendations. Because the CMSAAC recommendation takes into account *current technical limitations*, the Commission should adopt the recommendation to ensure more participation and expeditious deployment and revisit the issue when technologies are improved.

In addition, the Commission should ignore proposals that require the inclusion of phone numbers, URLs, and other contact information in a CMAS message because such proposals are *not* in the *public's interest*. Cell phone network congestion exists during emergencies today and would be made worse by inserting a phone number or URL to encourage people to initiate more calls than necessary during a time when it is best to keep the network available. Therefore, the Commission should adopt the CMSAAC recommendation¹⁰ and not require phone numbers, URLs, and other contact information in an emergency alert.

⁸ *Id.* at 2.

⁹ CMSAAC recommendations at section 6.2.

¹⁰ *Id.* at 5.3.2.

V. GEOGRAPHICALLY TARGETED COMMERCIAL MOBILE ALERTS

Even though Alltel plans to target areas smaller in size than counties, the Commission should adopt the *technically neutral* CMSAAC recommendation for geographical targeting (“geo-targeting”).¹¹ The proposals opposing the CMSAAC recommendation¹² require specific technologies, which happen to be sold by the commenters, to geo-target beyond the county level. Because participation is *voluntary*, the Commission should reject these proposals and instead allow wireless service providers the *flexibility* to determine whether geo-targeting at a more granular level is feasible for them given their particular circumstances.

VI. TRANSMISSION OF CMAS ALERTS IN LANGUAGES OTHER THAN ENGLISH

The Commission should defer to future technology migration proposals requiring commercial mobile alerts in languages in addition to English. These proposals fail to take into account that transmitting multi-language alerts is not technically feasible at this time for CDMA systems, which was discussed in Alltel’s comments.¹³ The CMSAAC recommendation¹⁴ recognizes the need for *technical neutrality* and takes into consideration that technological differences *currently* exist between GSM and CDMA systems. Therefore, to ensure broad, expeditious deployment of the CMAS, the Commission should defer multi-language proposals at this time but revisit this issue as technology improvements are developed.

¹¹ CMSAAC recommendations at section 5.4.

¹² Comments of Acision B.V. and One2many B.V. at 6-7; Comments of Alert Systems Inc. at 17-18; Comments of CellCast at 38-41; Comments of DataFM, Inc. at 12; Comments of Purple Tree Technologies at 11.

¹³ Comments of Alltel at 5-6.

¹⁴ CMSAAC recommendations at section 5.7.

VII. NOTIFICATION OF CMAS ELECTION

As recommended by the CMSAAC,¹⁵ the Commission should afford wireless service providers *flexibility* in determining how they fulfill the WARN Act's requirement of "clear and conspicuous" notice.¹⁶ Any additional requirements may cause wireless service providers not to participate in the CMAS for fearing of violating Commission regulations. Furthermore, wireless service providers are in the best position to determine the most appropriate way to inform its potential and existing subscribers regarding CMAS participation. Therefore, the standardized notice proposals¹⁷ should be rejected.

VIII. CONCLUSION

For the reasons set forth above and in Alltel's Comments, Alltel requests that the Commission adopt without modification the CMSAAC recommendations.

Respectfully submitted,

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¹⁵ CMSAAC recommendations at section 3.4.1.

¹⁶ Security and Accountability For Every Port Act of 2006 (SAFE Port Act), Pub. L. 109-347, Title VI-Commercial Mobile Service Alerts (WARN Act), § 602(b)(1)(B).

¹⁷ Comments of the California Public Utilities Commission and the People of the State of California at 21-26; Comments of Rehabilitation Engineering Research Center for Wireless Technologies at 13-14.

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